Doc code: IDS Doc description: Information Disclosure Statement (IDS) Filed

Approved for use through 01/31/2009 OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSU	RE
STATEMENT BY APPLICAL	VТ
( Not for submission under 37 CFR 1.	99)
,	•

	Application Number		10522320
Filing Date			2005-01-24
	First Named Inventor	John	L. Schenk
	Art Unit		1657
	Examiner Name	Tiffan	y M. Gough
Attorney Docket Number		er	XY-Optimum-USNP

					U.S.I	PATENTS			Remove	
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date		Name of Pate of cited Docu	entee or Applicant ment	Releva	Columns,Lines what Passages or Res Appear	
	1	6042025		2000-03	3-28	Crampton et a	l.			
If you wis	h to a	dd additional U.S. Pater	nt citatio	n inform	ation pl	ease click the	Add button.		Add	
			U.S.P	ATENT	APPLIC	CATION PUBI	LICATIONS		Remove	
Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publica Date	ation	Name of Pate of cited Docu	entee or Applicant ment	Releva	Columns,Lines what Passages or Res Appear	
	1	20060203226	A1	2006-09	9-14	Roche et al.				
	2	20040072278	A1	2004-04	I-15	Chou et al.				
	3	20070248976	A1	2007-10	)-25	Harding				
	4	20070123461	A1	2007-05	5-31	Josephson				
If you wis	h to a	ldd additional U.S. Publi	shed Ap	plication	citation	L n information p	lease click the Ad	d button	Add	
				FOREIG	3N PAT	ENT DOCUM	ENTS		Remove	
Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup>		Kind Code4	Publication Date	Name of Patente Applicant of cited Document	e or	Pages,Columns,Lir where Relevant Passages or Relev Figures Appear	т5

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

( Not for submission under 37 CFR 1.99)

Application Number		10522320	10522320 - GAU: 1657
Filing Date		2005-01-24	
First Named Inventor John		L. Schenk	
Art Unit		1657	
Examiner Name	Tiffan	y M. Gough	
Attorney Docket Number		XY_Ontimum_LISN	IP .

	1					
If you wis	h to a	Id additional Foreign Patent Document citation information please click the Add button Add	_			
		NON-PATENT LITERATURE DOCUMENTS Remove				
Examiner Initials*	Examiner litials* Cite No College and Country where published.  Cite No publisher, city and/or country where published.					
	1	Lindsey, A. C., et al., Hysteroscopic insemination of mares with low numbers of nonsorted or flow sorted spermatozoa, Equine vet. J. (2002) 34(2) 128-132				
	2	Sharpe, Johnathan, Advances in flow cytometry for sperm sexing, Unpublished paper, 2008				
	3	Johnson, S.K., Possibilities with today's reproductive technologies. Available online at www.sciencedirect.com; Therio 64(2005) pgs.639-656				
	4	Brogliatti, G. et al., Pregnancy Rates and First Born Calves by Artificial Insemination using Sexed Semen in Argentina: Therio. January 2, 2002, Vol.57, No.1. Pg 369				
	5	Palma, G. et al., Sperm Physiology. The Ablifty to Produce Embryos In Vitro using Semen from Bulls with a Low Non-Return Rate. Therio. Pg. 308				
	6	Gottlinger, Christopher et al., Cell-Cooling in Flow Cytometry by Peltier Elements. Cytometry 7:295-297 (1986)				
_	7	ABSTRACTS: American Dairy Science Assoc., American Society of Animal Science, June 22-26, 2003 Phoenix AZ. J.Anim Sci. Vol.81 Suppl.1/J. Dairy Sci. Vol. 86, Suppl. 1				
	8	Garner, Duane L., et al, Effect of Semen Dilution on Bovine Sperm Viability as Determined by Dual-DNA Staining and Flow Cytometry. J. of Andrology, Vol. 18, No. 3 May/june 1997.				
	-					

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

( Not for submission under 37 CFR 1.99)

Application Number		10522320	10522320 - GAU: 1657		
Filing Date		2005-01-24			
First Named Inventor John I		L. Schenk			
Art Unit		1657			
Examiner Name	Tiffan	y M. Gough			
Attorney Docket Number		XY-Optimum-USNP			

9	Lindsey, A. L., et al., Hysteroscopic or rectally guided, deep-uterine insemination of mares with spermatozoa stored 18 h at either 5 °C or 15 °C prior to flow-cytometric sorting, Animal Reproduction Science, Volume 85, Issues 1-2, January 2005, Pages 125-130	
10	Schenk, J. L., et al., Pregnancy rates in heifers and cows with cryopreserved sexed sperm: Effects of sperm numbers per inseminate, sorting pressure, and sperm storage before sorting, Theriogenology (2008), doi:10.1016/j.	
11	Suh, T.K., et al., High pressure flow cytometric sorting damages sperm, Theriogenology 64 (2005) 1035-1048	
12	Uprett, G. C., et al., Studies on aromatic amino acid oxidase activity in ram spermatozoa: role of pyruvate as an antioxidant, Animal Reproduction Science 51 (1998) 275-287	
13	Schafer, D. J., et al., Comparison of progestin-based protocols to synchronize estrus and ovulation before fixed-time artificial insemination in postpartum beef cows, Journal of Animal Science 03/30/2007, Pages 1-21	
14	Lamb, G. C., Synchronization of estrus and artificial insemination in replacement beef heifers using gonadotropin- releasing hormone, prostaglandin F2a and progesterone, Journal of Animal Science 11/01/2006, Vol. 84, Pages 3000-3009	
15	Saladamiaga, J. P., Ovarian, hormonal, and reproductive events associated with synchronization of ovulation and timed appointment breeding in Bos indicus-influenced cattle using intravaginal progesterone, gonadotropin-releasing hormone, and prostaglandin F2a, Journal of Animal Science January 2007, Vol. 85, Pages 151-162	
16	O'Brien, J. K. et al., Semen collection, characterization an preservation in a beluga (Delphinapterus leucas), 1st International workshop on Beluga whale research, husbandry and management in wild and captive environments March 2007	
17	O'Brien, J. K. et al., Development of sperm sexing and associated assisted reproductive technology for sex preselection of captive bottlenose dolphins (Tursiops truncatus), Reproduction, Fertility and Development 2008, 18, 319-329	
18	Parallel Australian application Number 2003259205, Office action dated August 26, 2008	
19	Parallel Chinese application number 03817484.7, Office action dated July 11, 2008	

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)

Application Number		10522320	10522320 - GAU: 1657
iling Date		2005-01-24	
irst Named Inventor John I		L. Schenk	
Art Unit		1657	
xaminer Name Tiffan		y M. Gough	
Attorney Docket Number		XY-Optimum-U	SNP

	20	Parallel European application number 03765919.0, Office action dated	September 25, 2008	
	21	Parallel New Zealand application number 538265, Office action dated N	November 24, 2008	
	22	Parallel New Zealand application number 538265, Office action dated \$	September 11, 2008	
	23	Parallel New Zealand application number 538265, Office action dated J	lune 3, 2008	
	24	Parallel New Zealand application number 538265, Office action dated N	lovember 15, 2007	
	25	Parallel New Zealand application number 538265, Office action dated A	April 1, 2006	
	26	Parallel New Zealand application number 570999, Office action dated \$	September 12, 2008	
If you wis	h to ac	ld additional non-patent literature document citation information p	lease click the Add button Add	
		EXAMINER SIGNATURE		
Examiner	Signa	ture /Tiffany Gough/	Date Considered 03/25/2009	

"EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, bit en idication of the typer of the Emperor must precede the serial number of the platent document. ¹ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if Engish Inaquage translation is attached.